



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 10

1200 Sixth Avenue  
Seattle, Washington 98101

January 19, 1996

Dustin Ramsey, Vice President  
Eagle Stop & Save, Inc.  
402 E. Yakima Avenue, Suite 510  
Yakima, Washington 98901

Re: Compliance Status, Notice of Violation  
UST Facility #4-260115  
Yakama Indian Reservation, Washington

Mr. Ramsey:

This letter is to document our recent phone conversations concerning completion of the subject NOV compliance work. Items of discussion were as follows:

- ▶ The second compliance submittal was received by EPA on January 8, 1996, and the proof of financial responsibility and the automatic tank gauge (ATG) test results for August - December 1995 appear acceptable.
- ▶ Results for the tank tightness test (T3), also submitted at that time, appear to have been for UST #2, not UST #1 as was required. After speaking to the tester, Bill Talbott (K.T.C.-Kennedy Testing Co.; phone 509/758-0679) I confirmed that the center tank was tested at someone's direction, and it is almost certain this was not the "Tank 1" identified in Eagle's ATG records and in subsequent EPA correspondence.
- ▶ You continue to strongly believe that procedural errors in the ATG testing are to blame for the problem ATG results for UST #1 taken in April, May, and July of 1995.

Based on the above, we agreed upon the following course of action to verify the integrity of UST #1 and to complete the Notice of Violation requirements.

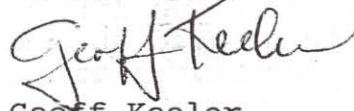
1. In lieu of repeating the attempt to have a tank tightness test performed for UST #1, you will have a professional service worker examine and test the UST ATG unit #1 for correct calibration and otherwise accurate operation. The person(s) will be well-qualified to perform this work. If the unit is malfunctioning, it will be either repaired or replaced. At the conclusion of this work, a detailed report will be submitted and forwarded to this EPA office for review.
2. You will submit to this EPA office, a drawing that specifically identifies each UST at your Wapato facility,

with the numbers 1, 2, or 3 that correspond to the ATG records submitted to date. (While it is assumed that the UST closest to the building is probably #1, this may not be the case. It would be wise to have these numbers verified in conjunction with the planned ATG work as described above.)

3. You will contact me shortly to propose a possible completion schedule for this work, based on availability of an ATG servicing specialist.

If you have any questions or comments, please contact me at (206) 553-1089, or toll-free at (800) 424-4372, extension 1089. I look forward to hearing from you soon.

Sincerely,



Geoff Keeler  
Compliance Officer

cc: Jannine Jennings, Environmental Protection Program, Yakama  
Indian Nation